

# **ECONOMIC DEVELOPMENT, HIGHER EDUCATION & ENERGY COMMITTEE**

## **Of the Suffolk County Legislature**

### **Minutes**

A regular meeting of the Economic Development, Higher Education & Energy Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York, on **June 22, 2005**.

#### **Members Present:**

Legislator Lynne Nowick • Chairperson

Legislator Angie Carpenter • Vice•Chair

Legislator Cameron Alden

Legislator Brian Foley

Legislator Jon Cooper

Legislator Jay Schneiderman

#### **Also In Attendance:**

Legislator Bill Lindsay • District No. 8

Mea Knapp • Counsel to the Legislature

Ian Barry • Assistant Counsel to the Legislature

Ilona Julius • Deputy Clerk/Suffolk County Legislature

Fran Seims • Aide to Presiding Officer Caracappa

Ed Hogan • Aide to Legislator Nowick

Frank Tassone • Aide to Majority Caucus

Paul Perillie • Aide to Minority Caucus

Roland Gaines • Aide to Legislator Montano

James Teese • Aide to Legislator Kennedy

Eric Brown • Aide to Legislator Schneiderman

Jim Spero • Director/Budget Review Office

Joe Muncy • Budget Review Office

Joe Schroeder • Budget Review Office

Ben Zwirn • Assistant County Executive

Amy Engel • County Executive Assistant  
Gail Lolis • Deputy County Attorney  
Jim Morgo • Commissioner/Economic Development & Workforce Housing  
Carolyn Fahey • Economic Development & Workforce Housing  
Chuck Stein • Chief Financial Officer/Suffolk County Community College  
John DeMaio • Suffolk County Community College  
Kevin Rooney • Oil Heat Institute of Long Island  
John Kennedy • Suffolk Building Trades  
Antonio Martinez • Empire State Regional Council of Carpenters/Local 7  
Jimmy Rogers • District Council No. 9 • Painters & Allied Trade  
John Ippowitz • Laborers Local Union No. 66  
Joseph Cavalieri • Laborers Local Union No. 66  
Gene Everett • IBEW Local Union 25  
John Elliffe • IBEW Local Union 25  
Mike Conroy • Carpenter's Local 7 Union  
Tom Ferris • Carpenter's Local 7 Union  
Fred Glaser • Carpenter's Local 7 Union  
Tony Martinez • Carpenter's Local 7 Union  
Michael Norton • Carpenter's Local 7 Union  
Jack Lilly • Carpenter's Local 7 Union  
Alan Ehl • Carpenter's Local 7 Union  
Terry C. Hood • Carpenter's Local 7 Union  
Daniel Rottenstreich • Unite Here International  
Peter Quinn • Long Island Coalition for Democracy  
Martin Cantor • Chair/Downtown Revitalization Citizens Advisory Panel  
Donna Periconi • Downtown Revitalization Citizens Advisory Panel  
Michael Mart • Downtown Revitalization Citizens Advisory Panel  
Chris Ferencsik • Downtown Revitalization Citizens Advisory Panel  
Susan von Freddi • Downtown Revitalization Citizens Advisory Panel  
Judy Shivak • Smithtown Chamber of Commerce  
All Other Interested Parties

Minutes Taken By:

Alison Mahoney • Court Stenographer

**(\* The meeting was called to order at 9:40 A.M. \*)**

**CHAIRPERSON NOWICK:**

Good morning, everyone. Would you all please rise for the salute to the flag.

***Salutation***

All right. I do not have any cards, but I believe Mr. Morgo was going to be here; is he here?

**LEG. ALDEN:**

Here come the cards.

**CHAIRPERSON NOWICK:**

Oh, two minutes, I see the two minutes.

**LEG. ALDEN:**

Here's the cards.

**CHAIRPERSON NOWICK:**

I think I see cards. Okay, the first thing we're going to do is the Public Hearing.

***1649•05 • Adopting Local Law No. 2005, a Local Law to require that all tourism promotion agency contracts receive prior approval of the Legislature (Alden).***

**MS. JULIUS:**

Madam Chair?

**CHAIRPERSON NOWICK:**

Where is that from?

**MS. JULIUS:**

The affidavits are in proper order and were duly filed.

**CHAIRPERSON NOWICK:**

Thank you. And I do not see any cards. Do we have a motion to close the public hearing?

**LEG. ALDEN:**

Ask if anyone wants to address us.

**LEG. CARPENTER:**

Is there anyone wishing to speak on this hearing.

**CHAIRPERSON NOWICK:**

Does anybody want to address this public hearing, anybody want to speak? Yes? This is on the tourism, the tourism promotion.

**MR. HOGAN:**

This is on tourism, Jack.

**MR. KENNEDY:**

Oh, I'm sorry.

**CHAIRPERSON NOWICK:**

Okay, that's okay.

**LEG. ALDEN:**

Motion to close the public hearing.

**LEG. CARPENTER:**

Second.

**CHAIRPERSON NOWICK:**

Motion by Legislator Alden, second by Legislator Carpenter.

The public hearing is closed.

Okay, now we're going to go to the cards. Kevin Rooney.

**MR. ROONEY:**

Good morning, Madam Chair, Members of the Committee. My name is Kevin Rooney, I'm the Chief Executive Officer of the Oil Heat Institute of Long Island. I would like to speak for a few moments this morning on Introductory Resolution 1417, a bill to evaluate the feasibility of establishing a renewable energy park on County property.

Although every feasible effort is made to reduce their impact, the fact of the matter is that all traditional fossil fuels •• coal, natural gas, liquid propane and oil •• are by their very nature potential sources of primary or secondary environmental pollution. While acknowledging the need to reduce our national consumption of fossil fuels, driven by the twin imperatives of both lessening our energy dependency on external supply sources while enhancing both air and water quality, we must also acknowledge the tremendous advances in both energy efficiency and environmental protection which have occurred since Presidents Nixon and Carter signed into law the first major environmental and energy legislation back in the 1970's.

Today, however, we are at an impasse. The gains of the past two decades in both reduced per capita energy consumption and improved environmental quality are being steadily eroded by the persistent and ever increasing energy demands of continued economic expansion both at home and abroad. Energy demands which exceed readily available supplies inexorably lead to shortages, higher energy commodity prices, inflationary pressures and, heretofore, unthinkable energy supply alternatives such as the Broadwater LNG facility.

As the time arrives when we realize that what we as policy makers have all done for the past quarter century no longer works to meet our burgeoning energy needs, then we are forced to conclude that maybe it's time to think outside the box and seriously consider both the practicality and economic feasibility of a variety of energy supply alternatives. Windmills, fuel cells, hybrid vehicles, biofuels and combined cycle generation are only the beginning. The proverbial tip of the iceberg, if you will, of the energy supply possibilities which await us in the decades ahead.

The process of moving toward an energy economy which fully integrates both renewable technologies and traditional fossil fuels can begin here and it can begin now.

Introductory Resolution 1417 simply initiates a process wherein the Department of Public Works would issue a request for proposals from potential producers and suppliers to determine the feasibility of establishing a renewable energy park on County•owned land. The concept of

Suffolk County providing both the means and the mechanism to establish an incubator for renewable technology development is by definition out of the box thinking. The expression "Think globally, act locally" is not simply a trite feel•good bumper sticker; it is a philosophical approach for dealing with huge complex issues on a smaller, more manageable level.

In this instance, with this particular resolution, it is also a tacit acknowledgement that each and every one of us has an individual and personal responsibility to assure that future generations have available to them the energy supplies necessary to sustain the economic prosperity from which we have all benefitted. IR 1417 is a small but very positive step in that direction and thus I strongly urge your support of its enactment. Thank you, Madam Chair, for your time and attention.

**CHAIRPERSON NOWICK:**

Do you sit in front of the mirror and time that for the three minutes?

**MR. ROONEY:**

No.

**CHAIRPERSON NOWICK:**

Because you're really doing well.

**MR. ROONEY:**

Thank you.

**CHAIRPERSON NOWICK:**

Thank you.

**MR. ROONEY:**

Are there any questions? Thank you very much.

**LEG. COOPER:**

Thank you.

**CHAIRPERSON NOWICK:**

James Rogers.

**MR. ROGERS:**

Good morning. I wasn't sure if the committee was going to take the prevailing wage with the IDA out of the committee and put it before the full body for a vote. I was told that it's been tabled and you're going to decide at your next committee meeting, is that •• I mean, is that where we're at right now with that?

**LEG. FOLEY:**

Some of us are ready to vote. Some of us are ready to approve it today.

**MR. ROGERS:**

Okay.

**LEG. FOLEY:**

I can't speak for the rest of the committee.

**MR. ROGERS:**

Well, that's why I'm here. I would hope that you would vote on it and move it along and get it into the full body and get this thing moving forward.

**LEG. ALDEN:**

What number?

**MR. ROGERS:**

It was 1444, I believe.

**MR. HOGAN:**

A tabled Resolution.

**LEG. ALDEN:**

Oh, okay.

**MR. ROGERS:**

Something that we need desperately right now. I mentioned to you at a previous hearing about

a situation at the Hyatt Hotel which doesn't have IDA money in it but it could have, and the situation of them bringing out •of•state workers in here, doing our work, taking the money out of here. We were made a promise by the hotel to let them do the interior of the hotel and they would give us all the open space, the lobbies and all the open areas. Well, they reneged on that deal as well, so we don't have anything, it's all being done by out •of•state people. Something like this would ensure that it's our people doing it, and if it's not our people, at least they'll be getting the prevailing wage or have some kind of apprenticeship attached to it.

At the last hearing I dropped off two studies and I hope that the committee took a look at those studies to show you the need for prevailing wage. In the State of Missouri where they want to repeal prevailing wage, how it would have such a negative impact on the whole economy over there. And also the apprenticeship training, how the amount of fatalities that happen through OSHA that shows that 78% of them didn't have any apprenticeship training.

So if you can, again, we're asking to have this thing moved and voted on and moved into the full body to be voted on. Thank you.

**CHAIRPERSON NOWICK:**

Thank you, Mr. Rogers. Peter Quinn?

**MR. QUINN:**

Good morning, members of the committee. Peter Quinn, Long Island Coalition for Democracy. I've been in and around the Legislature for over 30 years.

**LEG. SCHNEIDERMAN:**

You have our sympathy.

**MR. QUINN:**

And •• yes. And early on, in the 70's and the 80's, I always thought of this as an extremely innovative body and open to change. And ever since these committees and the full Legislature has adopted the policy of not talking to the public, I understand your not wanting to meet after midnight or follow up with a second meeting, as a result of result of listening to the public and



your having an exchange with them. But I think it's reduced democracy.

I sent a letter to the members of the full Legislature regarding the Oak Brush Plain in Brentwood, the sole source of our water supply. It was a copy that I had sent to Peter Scully with the DEC asking him whether the 88 acres of our sole source water supply was being impugned, encroached upon; I never got a response from a single Legislator. That's bothersome, because it seems to me this body here is responsible for protecting our water supply and I simply asked that you do some investigating and let me know whether or not I was correct in my analysis. That didn't happen.

In addition, I had proposed a bond for renewable energy which would have involved your doing something up•front, innovative and doing it now. Now, my good friend Kevin Rooney says that while this is a first start to do a feasibility on renewable energy, a renewable energy park, and we can get to renewable some couple of decades from now, I challenge that direction. It seems to me critical that you do something now. And if you are afraid to do a bond for the impact it will have on you politically, then I said try initiative and referendum, put it on the ballot and let the public decide in November. But barring that, here's another suggestion; why not match what LIPA does now on renewables? Four dollars a what for solar? Match it. Air•conditioning unit; they provide \$35 now, they used to provide \$75. Match it.

**CHAIRPERSON NOWICK:**

Mr. Quinn, could you just wrap up, please?

**MR. QUINN:**

Yes. And there are numerous other ways where you can look at LIPA's renewable energy program, they do a minimal amount, but at least consider matching it by putting up funding for that purpose. Thank you very much.

**LEG. ALDEN:**

I have a question.

**CHAIRPERSON NOWICK:**

Legislator Alden. Mr. Quinn?

**LEG. ALDEN:**

Mr. Quinn? I have just one quick question. The 88 acres you're talking about, that was the one that Islip, Town of Islip deeded to Heartland? There's a lawsuit, I thought you were a party to the lawsuit.

**MR. QUINN:**

No.

**LEG. ALDEN:**

Well, somebody with the same named group was a party to the lawsuit.

**MR. QUINN:**

I'm not aware of it.

**LEG. ALDEN:**

Okay, maybe it was a similar name. But there was a lawsuit over that, I can get you the sites and things like that, but that was decided by a Supreme Court Justice.

**MR. QUINN:**

Well, I thought because there were State Economic Development Funds, County Economic Development Funds and IDA's from Islip Town that there was some pressure to continue with the project rather than answer some of the questions I posed. But I'm not aware of the lawsuit.

**LEG. ALDEN:**

There was a lawsuit challenging the validity of being able to sell that and the status of the property and that was settled, I can get you that. So now the next step that Suffolk County could take, we could attempt to purchase it from the current owners who are not interested in selling it. So, you know, as far as energy and wasting time and things like that, if they're not willing to sell it we can't really force them to sell it. But I'll give you the court •• the sites on it.

**MR. QUINN:**

Okay. Thank you very much, appreciate it.

**CHAIRPERSON NOWICK:**

Thank you, Mr. Quinn. Joseph Cavalieri?

**MR. CAVALIERI:**

Good morning.

**CHAIRPERSON NOWICK:**

Good morning.

**MR. CAVALIERI:**

Joe Cavalieri, Labors Local 66. We represent the concrete, demolition and mason tender workers, the people who literally put their backs into their living.

From my experience out in the field as a construction laborer, I realized early on the benefits of belonging to a labor union and that it would be nearly impossible to live on Long Island without the worker's protection it provided. Later on as a business representative, I learned firsthand that it is not only a union contract that protects my livelihood but the laws in place which help enforce it. I believe the proposed legislation will help protect not only the rights of union workers but the rights of all construction workers in the County.

Applying prevailing wage law to IDA funded projects allows workers the opportunity to earn a fair and liveable income. Promoting apprentice language towards County projects gives us the opportunity to invest in the future workforce of the County. Project labor agreements help lower overall construction costs by allowing trade unions to negotiate collectively. Delivering a safe project on time, within budget, with quality second•to•none is something we take great pride in.

As Legislators and labor leaders, I hope we agree that the proposed legislation will help promote a highly skilled workforce, scare off dishonest contractors and put the profits into the pockets of the people who actually earn it, the construction workers. Thank you.

**CHAIRPERSON NOWICK:**

Thank you.

**LEG. FOLEY:**

Thank you.

***Applause***

**CHAIRPERSON NOWICK:**

Gene Everett.

**MR. EVERETT:**

Good morning, Madam Chairman and the Members of the Committee. My name is Gene Everett, I represent IBEW Local 25.

I come before you today and ask this committee to support Resolution 1444 simply because it protects the people of Suffolk County. Taxpayers and the public money that's spent on projects should not go to waste, should not be used and given to people that are unorthodoxed and don't do the job that the public is paying for. Also, the apprenticeship training language, the PLA and the prevailing wage rate afford our members and also the people of Suffolk County a wage that will provide them the means to live here.

As you will know, affordable housing is one of the issues that is coming up in the Legislature also and that we need to have our people live here and train, the skill train •• training that goes on here, we don't want to see them leave here. It's very difficult to live here, as you well know, the cost of living is very high.

So again, I ask, please, take this committee and please bring this forth to the full committee and vote for this, Resolution 1444. Thank you very much.

***Applause***

**VICE•CHAIR CARPENTER:**

Thank you. Next speaker, John Kennedy.

**MR. KENNEDY:**

Good morning, Chairman, Chairperson.

**LEG. ALDEN:**

There you go.

**MR. KENNEDY:**

I'm here this morning to talk about the same, the IDA issue. Nassau County implemented the IDA language approximately three years ago and the Town of Hempstead followed right behind it and implemented the language. It's worked very, very well in Nassau County, had no adverse effect, it only helped to maintain the area standards which the building trades established.

One of the things that I'm concerned about on behalf of all of the building trades is •• and it would probably be in the form of a question; is there any sunset to the bill itself or will it be •• would it be perpetual?

**LEG. CARPENTER:**

It's the County Executive's bill, so.

**CHAIRPERSON NOWICK:**

Legislative Counsel, can you answer that?

**MS. KNAPP:**

I don't recall a sunset provision in it, no.

**MR. KENNEDY:**

So it would be perpetual.

**MS. KNAPP:**

It would be.

**MR. KENNEDY:**

Okay, good, because it was one ••

**CHAIRPERSON NOWICK:**

We're going to go into this a little later in detail, but at least you get your question answered there.

**MR. KENNEDY:**

Okay, but if it isn't then it's something that we ought to clarify because we did originally have some problems in Nassau County because there was a sunset date and we got rid of that impediment, if you will. And it's something that we would be concerned with, that if we're going to start it off, have it as a bill standalone and be there forever.

**LEG. FOLEY:**

Can I ask a question?

**CHAIRPERSON NOWICK:**

You want to let him finish first?

**LEG. CARPENTER:**

I think he's done; are you done?

**CHAIRPERSON NOWICK:**

Are you finished?

**MR. KENNEDY:**

Yeah.

**CHAIRPERSON NOWICK:**

Okay, we just have a question. Legislator Foley.

**LEG. FOLEY:**

I thank you, Madam Chair. Thank you, Mr. Kennedy, for coming down here today. You mentioned that three years ago the Nassau County IDA and the Hempstead IDA, they both adopted similar language.

**MR. KENNEDY:**

Uh•huh.

**LEG. FOLEY:**

There have been concerns raised now from the IDA itself and it's going to be part of the record as far as whether or not this is •• whether there's any constitutional issues vis•a•vis the State having jurisdiction over the County with any legislation that would amend the requirements of an IDA. Were there any ••

**CHAIRPERSON NOWICK:**

Excuse me one second, Legislator Foley.

**LEG. FOLEY:**

Right.

**CHAIRPERSON NOWICK:**

Would it be •• we have just a few more public awards and then we're going to go debate the issue; could we hold that off?

**LEG. FOLEY:**

No, this is a question for the ••

**CHAIRPERSON NOWICK:**

Just for Mr. Kennedy?

**LEG. FOLEY:**

Yes. In Nassau County when they adopted the legislation similar to what we have here today, was that an issue that was raised and how was it addressed in Nassau?

**MR. KENNEDY:**

It was an issue, it was challenged to some degree. And without any legal standing against it, it was ruled that a County or a municipality could •• a local one could impose the language. We also have it in a couple of different counties Upstate, New York, and they've •• Nassau County was the first one to establish it, and after that it sort of had a contagious effect, if you will, and there's other counties within the State. It was tried to •• there were some efforts to challenge it but they didn't go anywhere, Brian.

**LEG. FOLEY:**

Legal challenge, right. My final follow•up, Madam Chairman, and thank you for the time. It

would be helpful to us, Jack, if you could get us some of that information from your Counsel and from your organization. Because as we had anticipated, there are some now trying to raise the specter that somehow the State preempts the County from adopting this kind of very progressive and worthwhile changes or amendments to the IDA regulation. So that information will help us, those of us that would like to see this move ahead.

**MR. KENNEDY:**

I would think that if it was in effect for three years in Nassau County, that that would have set precedent.

**LEG. FOLEY:**

I agree.

**MR. KENNEDY:**

And if somebody had some kind of legal boundaries to challenge it and get rid of it, it certainly would have been done. Because we certainly do have an awful lot of enemies out there ••

**LEG. FOLEY:**

Yeah.

**MR. KENNEDY:**

•• amongst the non•union sector that would like to disavow the whole thing.

**LEG. FOLEY:**

Absolutely.

**MR. KENNEDY:**

Including Article 220 of the Labor Law. They would like us to be working for a living wage which we can't live on.

**LEG. FOLEY:**

So that information would be helpful for us.

**MR. KENNEDY:**



Okay.

**LEG. FOLEY:**

Okay, thank you. Thank you, Madam Chair.

***Applause***

**MR. KENNEDY:**

Thank you.

**CHAIRPERSON NOWICK:**

Thank you, Jack. Antonio Martinez.

**MR. MARTINEZ:**

Good morning. My name is Tony Martinez, I'm a representative with the Empire State Regional Council of Carpenters, Local 7 here on Long Island. Another town that also implemented IDA language into their IDA is the Town of Babylon and that was very recent, that was as recent as about a month and a half two ago or two months.

I would like to thank this committee because this committee already passed a resolution, a Sense Resolution and a policy change regarding IDA, and I spoke to this body before. So I would like to thank you for this and also Presiding Officer Caracappa who introduced the Sense Resolution and the policy change.

Now, regarding IDA. IDA, it's a •• you know, everybody else has spoken about this so I don't want to be redundant, but some things that happen, IDA provides incentives for corporations to maintain high paying jobs in our area, right? And what happens a lot of times is like they start these projects, they hire contractors that do not pay an area standard wages, okay, which is the prevailing wage here on Long Island established by usually the unions, by us. And a lot of times these contractors, as I explained to you in the past, they 1099 their employees; 1099 means the contractor's employees are telling them that they are independent contractors and paying them either cash, you know, and now these employee are supposed to pay their own worker's compensation, their own liability insurance, etcetera.

Now, this creates a very unfair playing field with contractors like ours, like our union contractors

who pay on average on 30% on the dollar on worker's compensation, liability insurance and social security. A lot of times these contractors that work on this IDA project sponsor projects, also hire immigrants who are being paid a substandard wage, okay. You notice what happened in the past about a day ago, all these immigrants, Mexican immigrants, 60 in a house; these are the workers working for these contractors, many times working on IDA sponsored projects. All right?

So what happens is that, you know, these •• you know, government is providing an incentive, but then the workers are not contributing into the payrolls. And I don't think it's the worker's fault, these are the contractor's faults, all right. And what it also does, it drains County services because if a contractor is not providing health care, you know, a living wage, etcetera, what happens? Usually people go to Social Services to get something back.

So in contrast, our contractors provide a living wage. We all know that three years ago New York Times said that Long Island is the most expensive place to live in in the country and that you needed a certain amount of money to live by. We all know, you know, that Long Island is very hard to live at. In contrast, our contractors do provide that, they provide a health benefit, they provide good paying jobs and we're contributing to the tax rolls. So for this reason, you know, we'd like this body to push, you know, for this language, all right.

And so on behalf of the Empire State Regional Council of Carpenters and especially our Local 7 Carpenters here on Long Island, we thank you and we hope that this body does the right thing. Thank you.

***Applause***

**LEG. ALDEN:**

Sir?

**CHAIRPERSON NOWICK:**

Excuse me, sir. Legislator Alden has a question.

**LEG. ALDEN:**

Hi. Just on two points.

**MR. MARTINEZ:**

Sure.

**LEG. ALDEN:**

The first one, a long time ago I used to work for the IRS, some of the people I worked with are now in management positions. They take very seriously an abuse of a 1099 situation and there's a huge crackdown, both on the Federal and on the State level, for that exact type of abuse. So if you can get in touch with my office, if you know of any jobs that are being run like that, I'd be more than happy to help you. You know, we'll set up something with the IRS maybe, if they want to go out and audit or New York State Income Tax wants to go out and audit. I think that that's a very, very standard thing that they do when they're made aware of these type of abuses.

Secondly, Paul Tonna and I a number of years ago put a lot of money into the DA's office for compliance checks. So if you know of jobs that are being run that, you know, basically don't comply with all laws, if you can let me know about those also because the DA is very, very interested in going out there and doing what we have empowered him to do and that's to crack down on any violation. So if you would work with my office, I'd appreciate that on some of the things that you brought up. Thanks.

**MR. MARTINEZ:**

Thank you very much for the offer.

***Applause***

**CHAIRPERSON NOWICK:**

Thank you. Daniel Rottenstrelm? Sorry if I mispronounced your name.

**MR. ROTTENSTREICH:**

That's closer than anybody's gotten recently, don't worry about it. Good morning, Legislators, Chairman. My name is Daniel Rottenstreich and I'm a staffer in the Unite Here International Political Department. Unite Here is a union that represents over 500,000 garment, laundry, hotel and restaurant workers throughout North America.

On behalf of Unite Here's over 90,000 members throughout New York State, many of whom live right here in Suffolk County, I strongly urge you to pass the Labor Law Compliance legislation, Resolution 1444 for the Suffolk County Industrial Development Agency. The previous speakers have spoken thoughtfully and passionately about the need for this legislation to maintain workers' economic standards in this County,

I want to speak a little bit more about the practice of the IDA's themselves.

IDA's are entrusted with crucial tasks, advancing job opportunities, promoting individuals health and improving the prosperity and standard of living for New Yorkers throughout the State, yet too often there's a stark contrast between the purpose and practice of IDA's. All too regularly IDA's approve projects that do not provide good jobs with decent benefits. This is a fundamental contradiction of IDA's central mission.

Unite Here strongly supports this legislation because it will make the IDA's practice and policies more responsive and transparent. It will ensure that the construction of IDA approved projects provides good paying union jobs with solid benefits. It will ensure that IDA board members are responsible for maintaining high economic standards in the projects that they approve and it will effectively hold accountable board members who disregard the County's prevailing wage and other economic standards. In short, this legislation will ensure that the County supports only responsible and beneficial economic development.

Unite Here has often encountered IDA's numerous problems and is particularly well suited to comment on the need for this reform legislation. Recently the Onondaga County Industrial Development Agency, (OCIDA) which is Upstate, approved tax subsidies and incentives for the Cintas Corporation, the nation's largest uniform rental and industrial laundry company, to move one of its facilities from a neighboring County to Onondaga.

We believe that OCIDA needed to address possible legal, environmental and ethical concerns associated with the construction and subsidy of a new Cintas facility. The project would have moved jobs from one part of the State to another as well as given the company a competitive edge, both of which violate the State's anti-privacy laws. Despite Cintas' history of over 1,000 EPA violations and ongoing environmental lawsuits throughout the country, OCIDA voted not to require an environmental impact survey for the facility which, by the way, is slated to be located adjacent to a wetlands. While State ethics law bars IDA's from concluding transactions

that materially benefit board members, one of OCIDA's members was simultaneously bidding on the project's construction contract while sitting on the board. After later recusing himself, he still voted on motions related to the project. At the only public hearing on the Cintas project, not one OCIDA member was present. Unable to receive a fair hearing, legal action is now pending.

Now, this anecdote, coupled with the legislation you are considering, suggests that these problems with IDA's are not simply isolated incidents but systemic institutional issues. While Unite Here's concerns Upstate and the concerns this legislation addresses may be different at first glance, the underlying issues are the same; accountability and responsibility. The bill would provide both, explicitly that IDA's approve sensible, economic development and mandating the removal of board members who do not.

**CHAIRPERSON NOWICK:**

Could you wrap up, please?

**MR. ROTTENSTREICH:**

Yes, sure. On behalf of our members, our brothers and sisters and the building trades and all of Suffolk County's workers, we urge you to support this bill. Thank you.

***Applause***

**CHAIRPERSON NOWICK:**

Thank you. Mr. Kennedy, if you could just get that information you were speaking about to the committee, that would be very helpful.

**MR. KENNEDY:**

If you would ••

**MR. HOGAN:**

Through the Chair.

**CHAIRPERSON NOWICK:**

Through the Chair, the information that you spoke about earlier.

**MR. KENNEDY:**

Why don't you give me a list of the questions that you need answered.

**CHAIRPERSON NOWICK:**

No, no, not the questions. What we wanted to know is any information you can give us on the Nassau County and Hempstead IDA's and let us know anything you can let us know about that.

**LEG. FOLEY:**

If I just may sharpen the focus. What some are endeavoring to find out is if there was a legal challenge to the newer provisions of those two IDA's, and if there were, then what was the successful ••

**MR. KENNEDY:**

Conclusion.

**LEG. FOLEY:**

•• response, if you will, by either your counsel or other counsels that had moved forward in ••

**CHAIRPERSON NOWICK:**

And basically where did it go, the legal issues and what happened to them, if you could just let us know through my office.

**MR. KENNEDY:**

You know what I don't want to do neither, and I'll be candid with you, is I don't want to open up Pandora's box neither, all right? We have it working in Nassau County and it's been working for the last three years. And so, you know, I don't want to •• I don't want to disturb something that's working well and open it up for the possibility of somebody challenging it. I'll do some subtle inquiry, but as far as getting some kind of documentation in writing ••

**CHAIRPERSON NOWICK:**

Understood.

**MR. KENNEDY:**

•• I'm a little bit fearful of that.

**CHAIRPERSON NOWICK:**

Sure.

**LEG. FOLEY:**

Right. As I said, some of us •• through the Chair, some of us right now are more than willing to adopt this now. There are others who are looking at a particular document from the IDA that's raising issues about the State which, quite frankly, as you say, if it's been working well in other jurisdictions for the last three years then there shouldn't be any impediment for us to move forward today.

***(\*Legislator Lindsay entered the meeting at 10:16 A.M.\*)***

But the problem is we have •• I don't think it personally is a problem with my vote, but others may look at some of the documentation that's been submitted only today to the committee ••

**CHAIRPERSON NOWICK:**

All right, you know what? We're going back into the debate.

**LEG. FOLEY:**

•• as a reason to table the bill.

**CHAIRPERSON NOWICK:**

I just wanted to see if you could just kind of do that, through the Chair.

**MR. KENNEDY:**

I'll do that.

**CHAIRPERSON NOWICK:**

Thank you. But we're going to go back into this. Thank you.

Now, is there anybody else that would like to address the committee? Anybody from the college that needs to talk to us or anybody else?

**MR. HOGAN:**

Commissioner Morgo is supposed to speak today.

**CHAIRPERSON NOWICK:**

Yeah, he was •• oh, he's here.

**MR. HOGAN:**

He's here.

**CHAIRPERSON NOWICK:**

Okay, yes. Mr. Morgo?

**COMMISSIONER MORGO:**

Good morning. First of all, I apologize for being late. I was told that there was a special session this morning at nine o'clock and ••

**CHAIRPERSON NOWICK:**

And you expected it to go on and on.

**COMMISSIONER MORGO:**

Yeah, indeed. And as a matter of fact, I also told some other folks that they didn't have to get here till about ten o'clock, but they're here now, so.

**CHAIRPERSON NOWICK:**

Then you just probably don't know how fast we move our meetings.

**COMMISSIONER MORGO:**

Yeah, you're noted for that, yeah. At the 2006 Capital Program Hearing back on May 25th, I was asked about the philosophy or the direction of the Downtown Revitalization Citizens Advisory Panel. And after we talked a bit and I talked with you, it was decided that the best course of action would be to have you here from a representative group of the panelists themselves; in fact, it was either the Chairman or the Vice•Chairman's suggestion that we invite some of them in and that's what I've done this morning. But I also have Carolyn Fahey with me who works on the east end towns and Jim Ainslie who works on the west end towns should you have any questions of them.



Before I ask, though, Madam Chairwoman, the representatives to come up here, I want to let you know that you chose well. They're a dedicated and idealistic group and I'm talking about all 20 members of the Citizens Advisory Panel. The panel members have worked over the last three meetings to codify a vision and articulate a vision that will not only serve to improve the economic viability of our downtowns, which after all was the primary mission, but will improve the quality of life for all of us in Suffolk County.

Please read the minutes; Carolyn, have you given the committee members the folders? The minutes are in the folder from the last three meetings. Let me tell you something about the meetings, they have been comprehensive and they have been long. The panel has developed a comprehensive project application and an objective scoring system, it hasn't been easy. At Monday night's meeting, this past Monday night, the panel finalized both, they finalized the application system and the point system. Included in the packet is the grant guidelines, the grant guidelines will accompany all the applications. If you look at that just very quickly, if you open the folder it's on the left side as you look at it, and this is what's going to be the first page on the applications that go to the groups that can apply for a Downtown Revitalization Grant. And if you look at the second sentence, "Following it's review, the panel recommends specific projects to the Suffolk County Legislature for funding." It was mentioned many times back in May that it is ultimately the Legislature's decision on which projects get funded. As soon as Monday's changes are made in the application and the scoring system, you will have them as well.

Okay, I am going to now ask, if it meets with your approval, Madam Chairwoman, the representatives. I'm going to ask them to also mention the district which they represent, and they •• since they made this decision for •• I really can't call it a new philosophy but it may be a new direction, I think they can answer your questions probably better than Jim, Carolyn or I can. So I'm just going to ask them to come up. I need •• there are five of them, including the Chairman, you asked for the Chairman of the panel to be here, Martin Cantor, he's here as well as four district representatives. Also, I might mention that Judy Shivak from Smithtown who had been a member for a long time also heard about this, I spoke at that chamber and she's also in the audience should you have any questions for her.

**CHAIRPERSON NOWICK:**

Okay. Is Judy going to come up as well?

**COMMISSIONER MORGO:**

Excuse me?

**CHAIRWOMAN NOWICK:**

Is Judy going to come up as well?

**COMMISSIONER MORGO:**

If you want her to, I'm sure she will. Judy, why don't you come up as well.

**CHAIRPERSON NOWICK:**

Thank you all for coming here. And just to take a minute again to say thank you to Judy Shvak who has just completed eight years at the Smithtown Chamber of Commerce and has retired. And Judy did an outstanding job and we in Smithtown were very, very fortunate to have you. Thank you.

Okay, we're going to start questions with Legislator Alden.

**LEG. ALDEN:**

Hi, and thanks for coming down. Actually, thanks for serving on the Downtown Revitalization panel because it's a lot of work and ••

**COMMISSIONER MORGO:**

Excuse me. Would you like them to introduce themselves so you know where each is from?

**CHAIRPERSON NOWICK:**

Sure. I'm sorry, that's my fault, please. Please identify yourselves, and start with Judy.

**LEG. ALDEN:**

I'm sorry, you need a microphone.

**MS. SHIVAK:**

Judy Shvak, Smithtown Chamber of Commerce until December, representing the 12th

Legislative District for John Kennedy and Andrew Crecca.

**MS. PERICONI:**

Donna Periconi from the Bay Shore Chamber of Commerce and the Business Improvement District appointed by Angie Carpenter, 11th District.

**MR. MART:**

Michael Mart from Port Jefferson representing the 5th District, Vivian Vilorio•Fisher.

**MR. FERENCSEK:**

Chris Ferencsek, I represent Dave Bishop's district and I'm also with the Lindenhurst Chambers of Commerce and with the Town of Babylon IDA.

**MR. CANTOR:**

I'm Marty Cantor, I'm the County Executive's appointment and I'm the Chairman of the committee.

**MS. VON FREDDI:**

My name is Susan von Freddi, I'm with Legislative District No. 2, Jay Schneiderman and I represented the Hampton Bays Beautification Association.

**CHAIRPERSON NOWICK:**

Okay. Legislator Alden.

**LEG. ALDEN:**

Hi. Again, thanks for coming down, thanks for serving on the downtown advisory •• Downtown Revitalization Advisory Committee. I was a little bit shocked and concerned when I saw the minutes of the •• and I forget which meeting it is and I apologize right now and I didn't bring those minutes with me today, but earlier this year where I saw that we were changing course. Because as a Legislator that was very, very interested and I think it's very important to my district to have the downtown revitalization go forward, I like the way it was operating in the past. By that I mean every Legislator, who basically we all vote on the budget, we put money in the budget expecting that each one of us would have something that would happen in our district, and whether that be a smaller project or a larger project, you know, we left that •• in my mind, we left that to you guys to sort that out. But every Legislator I think deserved to have

something going on in his district as far as downtown revitalization.

Then I became concerned when I saw that, you know, the redirection that what we were going to take was an approach where we might do one project or we might do two projects or maybe even like three or four, but there wouldn't be that guarantee that every Legislator was going to have something going on in his district. So that's where I started making phone calls to find out, you know, like who would talk to their representatives before the votes were taken and things of that nature, and the consensus of the Legislators that I talked to, none of them had talked to their representative before this new direction was embarked upon by the Downtown Revitalization Committee. So that's why I started talking to Legislator Bishop and I also talked to Legislator Montano, and I don't believe either one of them serve on this committee. And that's the way that we've generated a piece of legislation that would kind of take it back to the old days and the way that we had envisioned it in the past.

The other thing that concerned me also was in the budget we found that there was actually two downtown revitalizations. So, you know, that concerns me that we're not pooling all the money to do the projects and that, you know, there can be separate directions that we go on. So I know that there was five areas that were identified for I believe it was \$50,000 each, but there was no project really, you know, backup project that was associated with that that was going to be generated, you know, at a later date. So we've had explanations about that, but those are the two areas that really concern me and that's, you know, part of the reason why this legislation was generated.

**CHAIRPERSON NOWICK:**

Does anybody else have any other questions?

**MR. FERENSCIK:**

Excuse me, did you want a response to your concern?

**LEG. ALDEN:**

Well, basically, yeah. I would ask any one of you that want to respond, you know, like why and how it came about that, you know, we're going to change from guaranteeing 18 Legislators that something would happen in their district to possibly doing maybe one, two projects or something along those lines.

**MR. FERENSCIK:**

Okay. Again, my name is Chris Ferenscik, I represent Dave Bishop. I did speak to Dave about the direction of the panel and I've been on the panel since its inception and the panel has, even from the beginning, wanted to really go in this direction when we first were appointed. We have traveled all around the County, we had regional meetings around the County and we did propose, tried to pick out the best projects that were presented that would have the most impact on downtown revitalization. It evolved into splitting the pie up equally over each Legislative District and we understood why the Legislature wanted to do that, the Legislature wanted to do it, so we did go along with it. Then we had a little bit of a hiatus and then the panel started to become more active. We felt as a panel that we did a lot of the smaller type of projects such as the beautification of the downtowns and lighting projects and some •• there were some larger projects and some unique projects.

However, at this point, now that we've had all these smaller projects done, we really wanted to see if we could make a bigger impact on downtowns and reward the downtowns that really put a larger effort into coming up with a project that might be unique and might have a very big impact which could set an example for other downtowns to copy. And part of the idea of a project being successful is a project that could be funded properly, leveraged properly with the funds that would be provided through this program, and also has a possibility of being maintained in the long run. But we really wanted to show some real good projects and not necessarily one or two, it could be five, it could be four, you know, depending on what projects were submitted and how they were graded based on the point system that we came up with. So I hope that answers some ••

**LEG. ALDEN:**

It does partially, because over the years, you know, the discussions we've had were that •• and really this is the thing that came out of all those discussions. Eighteen Legislators have 18 needs, you know, whether it be a small downtown or whether it be a large downtown, and that's why we came up with the formula of dividing the pie 18 different ways because we felt that we were accomplishing good throughout Suffolk County.

I actually agree, partially, with the way you want to go and I think that we have to fund it properly then, because then we're going to have to bifurcate this process because 18 Legislators •• you know, and when you do walk through other people's downtowns, because a

lot of them invite you to go and see what's going on when they're trying to sell you on, you know, their projects and things like that, they have needs and I had needs. At one time I represented a little bit more of downtown Bay Shore than I do now, but I still represent almost half of downtown Bay Shore; we need major money in there. If it was \$10 million it wouldn't be enough, as far as I'm concerned, to reconstruct that properly to give Bay Shore, you know, the proper way to get back into, you know, like modern day times. And we were hurt by New York State with downtown. When they closed Pilgrim State and CI and Kings Park, you know where those people ended up? They ended up in downtown Bay Shore and that creates a situation where you're hurting for years and years and years down the line.

So I don't want to be selfish and take the whole thing for myself into Bay Shore, and that's why we came upon, for the past eight years that I've been here, let's let everybody have, you know, like the brick pavers, they're excellent, the lighting, because you know what, lighting gets rid of the crime. So all these things were designed and they did a lot of good. That's why if we're going to go in a different route, fine, but we've got to look at funding. And I still think that there's got to be a component there where 18 Legislators get something in their district because that's a fair way to do it. These are tax dollars that come into Suffolk County mainly on the sales tax, property tax is only a small portion, but it's the sales tax so everybody in Suffolk County is paying and I think that everybody should see a benefit. Although I'm not criticizing and saying that it doesn't lack any, you know, insight and really leadership in going with the larger project because we need that, too, but I do want to see where every one of the 18 Legislators gets something done to improve conditions in their district.

**MR. CANTOR:**

Legislator Alden, I'd like to clarify a couple of things, actually comment further on what Chris had said. I have been working in downtowns and communities since when I left being Commissioner of Economic Development in the early 90's. And what we find is the kind of dollars, and certainly the generosity of the Legislature in funding this program, is not adequate enough to have the impact, that's why we put in leveraging. Also, the panel had wanted us to be somewhat of a think•tank and share ideas, and in that light we have a topic at every meeting that deals with leveraging. The first meeting we talked about where there's money available from foundations and banks that can leverage the dollars that the Legislature has appropriated for this process. Two meetings ago we had KeySpan, LIPA rather, that came in and talked about one of the things in our criteria deals with green buildings, environmentally

compatible and we showed how you could leverage the taxpayer dollars in this program against programs that LIPA has. Last meeting we had the Long Island Development Corporation down to show how you can do mixed•use projects in downtowns and leverage SBA dollars with not •for•profits in the monies that the Legislature provides. So what we're looking to do is almost like double the monies that we're targeting for downtowns under this program.

The next point, and I totally agree with you, it's not our intention to pick one, two, three, four projects and exclude everybody else. What we are trying to do is raise the bar on the projects that come in and we're more than willing to talk to the people who respond to us and help them raise that bar in getting projects of quality and merit for the panel to recommend to the Legislature. We would love to see, and we are going to be sending these applications out within the next two weeks to the Legislators as well as all the not•for•profits, we would love to see two, three, four projects from every downtown and have groups compete for projects in the downtowns and we want to work with them to do that and it would give us tremendous pride if we could have one in every district. And so that's what we're trying to encourage is not necessarily •• we're looking for a competitive process where we get good projects and we're looking to help the people who respond to find the dollars they need. I work with a lot of foundations and I know where there's a lot of private dollars and philanthropic dollars that can be directed towards this and that's what we'd like to do.

**LEG. ALDEN:**

And that's why I complemented you first because I don't believe you've done any shoddy type of projects, and even a small project means a lot. Like, for instance, downtown East Islip, we got some brick pavers and that started the road to where I could go out to LIPA and to KeySpan and we changed some wiring and made the place look a lot better and I think upgraded the whole situation. Plus they ended up with a private foundation, raised money and put lighting in, so it did •• you know, it piggy•backed on it and it ended up with a lot better product and a lot better situation in downtown East Islip. So I think that the way it was going was an excellent way to go.

I like your approach that there should be a couple of major projects that we do that can do some impact and that's why I just suggested before maybe that we've underfunded in the past and maybe we should get back to what we did seven, eight years ago when we put a little bit more money into those and have like almost like a dual system going where we do some of the good, little projects. Because I'll tell you, even brickpavers, maybe it's only a 10,000, \$5,000



project, it means the world of difference to the patrons that go there and to the people that have businesses that, you know, butt up against that.

**CHAIRPERSON NOWICK:**

Just could I •• just a clarification on the record what your intention is that you would •• rather than dividing the amount of money between 18 Legislators for their districts, what you would see would be three or four large projects; is that what you're saying, or am I mis •• I think I'm misunderstanding.

**MR. CANTOR:**

No, no, we're not saying three or four large projects, not at all. I know that in the minutes we talk about it because that was a discussion. You know, as an economist, I was bringing up the point that the more you inject in a downtown and the largesse of a project obviously has the greatest impact, which is not to say what Legislator Alden had just said that certainly pavers and lighting, beautification brings people into downtowns and creates a good element. When I was working in Patchogue we had billy goat that picked up cigarette butts and the grass between the sidewalks, that had an impact. So it's not to say singular projects, Legislator Nowick, that we're looking at, but let's say •• let's pick one out, let's say you take a project on the east end and the east end has different types of downtowns than we have here and planning certainly evolves, let's say someone wanted to put up something of a maritime nature and they wanted to link that maritime nature to a shopping district or a downtown district; that could be something. Some of the areas that I work on, incubators would bring people into downtowns; I mean, those are some of the things, but we have nothing in mind.

**CHAIRPERSON NOWICK:**

Maybe you're not understanding my question. If there's a certain amount of money to be divided between 18 districts, right now the money •• and correct me if I'm wrong, I'm just trying to understand •• the money right now is divided between 18 districts ••

**MS. PERICONI:**

No.

**CHAIRPERSON NOWICK:**

•• and those Legislators choose what chambers or where this money goes. Would that change?



**MR. CANTOR:**

Let me ••

**CHAIRPERSON NOWICK:**

Or should I say divided equally, maybe that's ••

**MR. CANTOR:**

Let me turn this over to Donna because what you're asking me, Legislator Nowick, predates me, I'm just new on the panel. And I think for us to evaluate it, there's a sense of history that needs to be brought to the table. So Donna?

**MS. PERICONI:**

No, Michael is going to do the history.

**MR. CANTOR:**

Michael?

**MR. MART:**

Thank you. I've been also on the advisory committee from its inception and I'd like to just sort of give you a history from our perspective of what we did and what we're attempting •• what we accomplish and what we're attempting to accomplish presently.

When the committee was first established, we had an opportunity, through Legislator Holst who was in charge of it at that time, to hold hearings in Suffolk County, to talk to the downtowns, the people who participate in them, the organizations, the property owners, the business people, to see what it was that they would benefit from if the County were to help them revitalize their downtowns. These were wonderful opportunities, a lot of people came. We went to Patchogue, we went to Riverhead, we went to Bay Shore, we saw different experiences and different needs. And at that time, what all of us •• I'm from Port Jefferson, I have a business there, I've had it there for 30 some years, what all of us were experiencing at that time was the development of what we call the big box stores up along the highway. And when that happens, when a big box hardware store opens up, we lose our downtown hardware store. When a big supermarket opens up, bigger than anything with lower prices up on the highway, we lost our supermarket. When you lose your supermarket and you lose your hardware store, what

happens is you lose your liquor store because it's not next to a market anymore, you tend to lose your cleaners, you tend to lose the basic services that kept the downtowns alive year in and year out and it was a hard time.

And when we went to these meetings we saw and heard from people who said, "It's not just money that we need, it's policy changes as well. Money is not the only answer to revitalizing downtown." But the emphasize became the money and there was a need for it, a clear need for it. As you know, each district was given a certain amount of money to spend and we would, as a committee, analyze, review, discuss the applications that were coming in for those scarce dollars. And what we were doing from round one, round two, round three, round four which represents different years was to allocate money in the different districts to help them primarily turn out to be beautification which was necessary to help make their downtowns more attractive, to keep them cleaner, to keep them well lighted, to do all of those things that that little bit of money that was available could do and it worked pretty well. We gave out money for benches and clocks to be placed in central plazas, we gave money for flower pots and the beautification and a couple of other projects that, with other funds, were accomplished like completions of parking lots and the like.

But we felt now we're sort of beyond that, that what is really needed is to give money to the downtowns that have projects that really will help the revitalization beyond just beautification, that can be, as Mr. Cantor mentioned, leveraged, to turn that money into something more than what the County can afford at this moment. And for that, it doesn't have to be one project or two projects or five projects, it's not the size of the project, it's not even the amount of money, it's the ability, as we assess it and with you, to see that monies that are given will actually help revitalize the downtown, be it how to handle parking or transportation or attract different businesses, lots of different ways in which to make niche shopping, niche? Niche shopping work ••

**MS. PERICONI:**

Niche, right.

**MR. MART:**

Niche, thank you, for our communities. I know •• I'll just end personally, it helped me to be on the committee, no money was granted to me but my wife and I were able to expand our

building because we learned that there were monies available here in the County and we work with those agencies that gave us free services and we were able to convince the banks and the town, the village in this case, to allow us to add on and we did. And as a result we have apartments where there were none, we have offices, our business is better sustained. It's smart growth, that's what we're looking for, mixed uses. There are many, many different ways of doing it than just money.

So I applaud you for continuing this program, I applaud you for wanting to participate in it. We invite you to our meetings to see and to listen to how we go about making some of these decisions or assessing projects. I don't think any one district is going to be left out per say, necessarily, it depends on what the project is, that's the merit approach. Thank you.

**LEG. ALDEN:**

Through the Chair. Where are you meeting right now?

**MR. MART:**

We meet across the street in the Dennison Building every third Monday of the month.

**LEG. ALDEN:**

I might want to invite you back over here. Since you're a creation of the Legislature, I think it might be appropriate for you to come over here and I'm going to make a suggestion to the PO and also to the Chairwoman of this committee that we somehow work your meetings maybe into, you know, our meetings, something that might make it a little bit more convenient for all of us to get together. But, you know, I'm just going to make a couple of suggestions and then we'll find out.

**MS. VON FREDDI:**

Hi. I'm Susan Von Freddi from Hampton Bays, the east end of Long Island. I just wanted to point out a couple of things. I'm new on this committee and although I'm new on the committee, I have been very involved in the downtown revitalization of our community, Hampton Bays.

For the last 10 years we have strived to turn a town which was on the verge of going down or going up, that was the choice we had to make. We had empty stores, we had neglect, we had vandalism, we had all the bad things that can happen to a downtown community. We had

vacancies, we had kids roaming around in the streets and it wasn't very nice to come into town. Since that time, we had our first project which the County helped us to accomplish and that was \$96,000 was spent in total of which \$46,000 came from the County, and I understand at that time there was a million five allotted to this committee which helped, \$46,000 helped tremendously. The Town of Southampton gave 25,000 and our organization raised the other \$25,000, so we were able to do a combined effort and get this \$96,000 which took 1,000 feet of the entrance into the community, put stamped concrete down in the center medians, plantings, irrigation, lighting for the evenings and flowers, plants. And it has turned around, as you come off the Sunrise Highway and you come into Hampton Bays, you now have a beautiful view as you come into town.

Since that time •• that was part one, phase I. Phase II •• of course, once you start something you want to continue it, so we had to wait two more years when the County gave us 5,775. Now, you can't do very much with 5,775. But what they did do, which I applaud, is that they gave us labor, they supplied a crew to come out •• and mind you, these are all County roads I'm talking about. They came out and they ripped up all the asphalt in these ugly medians which were overgrown with weeds and broken asphalt and removed it, they then came back and filled it with dirt, then we came in and took over. And Phase II was \$40,000, we did it in three phases and, once again, we put in lighting, planting, stamped concrete and we maintain it, we hire professionals that maintain these. We don't just put it in and leave it.

The next phase which we just completed last month, started in October of last year, and once again, the County came in with their labor at the Shinnecock Canal and we did three major medians at that end of town, on the eastern end of town. The County has awarded us \$10,000, the Town of Southampton has awarded us 12,500 and the Hampton Bays Beautification put in the rest of the money which they raised in fund•raisers. We also get discounts from suppliers, we get discount on cement, we get discounts on plant material, we're buying the stuff wholesale. So we're able to do a \$60,000 project for maybe \$50,000 or \$45,000. But you can't work with just \$5,000, 5,000 buys nothing today. And we only have \$500,000 to work with for 18 people; well, you divide that up, it's not a lot of money.

So these projects have made a tremendous impact on our community. It has turned our community around. We now have new businesses opening up, we have new stores, we have people taking pride in their community, we have a new railroad station. And it has absolutely

become •• in the last ten years it is now a beautiful community, our real estate prices have gone up so your taxes ••

**LEG. ALDEN:**

Thanks to us, though.

**MS. VON FREDDI:**

Thanks, exactly. And so it has truly made an impact on it, and I would like to see the program continue. And occasionally there will be a big project that will need more money than just 5,000 or \$10,000 that I would say that if we neglected that it's going to have a bad impact on the community. Thank you.

**CHAIRPERSON NOWICK:**

I'm sorry, Donna.

**MS. PERICONI:**

My name, again, is Donna Periconi. I'm with the Bay Shore Chamber and the Business Improvement District. I also was on this committee since its inception, I think it was in 1997.

I would like to just start by saying I serve on many committees, this is probably one of the most productive committees I've ever served on. Assembling downtown revitalization people from Amityville, from Huntington, from Patchogue, we have an opportunity to share ideas to know what's going on in Suffolk County. Before this committee was formed, we did not communicate with each other. We have an opportunity to share resources and it is truly an outstanding committee.

Our first group, starting in 1997, the persistent question was what is a downtown. I'm not going to go through it again, but there's always this question of the revitalization of downtowns. Bay Shore has a downtown, Patchogue has a downtown, Huntington has a downtown, East Islip has a small downtown, we won't go there again. So finally, after so much deliberation, it's still a question mark out there. When we talk about revitalizing a downtown, which is the downtown, which is the classic downtown we're talking about?

Cameron alluded to Bay Shore. And certainly, when this committee was founded, Bay Shore

was considered the most depressed downtown in Suffolk County. Forty•three percent of my stores in downtown Bay Shore were vacant, boarded up, vacant downtown, but we've come a long way now.

The purpose, I think, of this meeting is to talk the finances here. This year we have only been given \$500,000; as Susan mentioned, if we divide that amongst 18 Legislators, that's something like \$27,000 a person. If each Legislator has more than one downtown, as Cameron does, he has Islip, East Islip and Bay Shore.

**LEG. ALDEN:**

Great River.

**MS. PERICONI:**

We are talking •• and Great River, we are talking something like \$7,000 a piece. We are here today to talk about perhaps having projects that have more impact. And there are many communities that need that little bit more money to have an impact, an impact project on their downtown. Bay Shore has been the recipient of monies which have certainly enhanced our downtown and we are beginning to thrive again. What we're asking or willing to do is to perhaps be noble, perhaps be neutral and see which towns really need the money most now, which towns really need a project that will impact their revitalization? We're not talking about a great amount of money. If you divide \$27,000 into certain areas, it almost amounts to member item grants that you are generously giving us or omnibus grants.

Perhaps there are some communities that will come up with a project that will have an absolute positive impact, a turnaround. I know of one and I would be willing myself to forgo any monies for my community because I know of one who is going to be talking about a major project. I'm just asking, since the number is so small, perhaps we should just •• you have confidence in having appointed us, perhaps you would allow us to just decide, you know, which projects will have, maybe not quality is the word, maybe not merit, maybe impact on bettering a neighboring community who's really about ready to start. That's all I have to say.

**CHAIRPERSON NOWICK:**

No, no, that's very interesting. But I just want to ask you, would that possibly mean, then, if there were two or three years where these good projects, where you found these good projects, would that then mean that there would be certain districts in certain downtowns, because the money would be used here, that certain downtowns over here would not get any money; would that be possible?

**LEG. ALDEN:**

It's a possibility.

**MS. PERICONI:**

You want •• go ahead, Michael.

**MS. SHIVAK:**

We did that though before.

**MR. MART:**

Precisely and intentionally. And I think it helps you as a body and individually, because if we divide up the money, if you divide up the money into your various districts equally, then I think what happens, because I know it happened in Port Jefferson where Vivian Fisher's •• in that area, in her district. It was seen by the Business Improvement District, it was seen by the chambers, it was seen by others as entitlement money, that they were entitled to get some of it because they knew that you had it and everybody wanted a piece and you had to kind of divide it up among each of them and if you didn't then they felt hurt. What we're doing, by emphasizing, putting money where it's going to have the largest impact on the largest area, is that we're removing, I would think, that burden on you in a way. The burden being that you have to give a certain amount of money to different groups, whether it's effective or not, and I hope we help you in that regard.

**CHAIRPERSON NOWICK:**

It's not a terrible burden, though, just to let ••

**MR. MART:**

I'm sorry?

**CHAIRPERSON NOWICK:**



Giving away money is really not a terrible burden.

**LEG. ALDEN:**

Ask Foley, he likes that.

**CHAIRPERSON NOWICK:**

That burden is tough. You want to continue?

**MR. MART:**

But there are other monies, though, for that, I think.

**LEG. ALDEN:**

Just a couple of quick comments about some of the things that Donna said. You noticed that I started my comments with compliments and I really appreciate what you do. And actually, to get real local, Bay Shore, I can't think of a single person that is more responsible for the revitalization and the improvement and the great downtown Bay Shore that we have today than Donna Periconi, so I really want to thank you for all your efforts over the years, and I'm sure Legislator Carpenter joins me in that. But to get real specific, what you've done is you've opened up a dialogue and the dialogue is going to have to be what we want to do as far as changing something that we've been doing for, you know, like the eight years that I've been here and maybe doing it a different way.

And then I have to just direct a couple of comments towards Jim and the County Executive's Office. Number one, they gave us •• they left us with a quote, really, and they do this all the time as we go through budgets, you can't have it all. But secondly, more importantly, they've actually given us a model now because the County Executive included in the last Operating Budget the five larger projects than what we were used to seeing. So I think we have a model, we've got something that now we did last year, or we're doing this year actually, that we can use as a discussion point, and I think that what you've brought forward is, you know, a whole bunch of comments that we really have to take seriously and look and see which direction we want to go.

And the other thing, though, that keeps coming up, and then it goes back to you can't have it all, you know, this to me has been under funded for a long time.



**MS. PERICONI:**

Absolutely.

**LEG. ALDEN:**

But I'm glad that we're having the dialogue and the discussion now whether we want to do some real major projects in Suffolk County or we want to continue along with things that, you know, almost are classified as like beautification, but they do contribute to our economic growth and our economic viability. And I think it's a healthy dialogue so I'm glad that no one is, you know, like getting at each other's throats and things like that here because I think we're all working and we're all on the same page.

Luckily, I mean, from my point of view, Jim Morgo is an Islip guy, we've got Donna Periconi and I have •• and she's not my appointment but I have another appointment on there, Bobby \\_Curey\\_ , you know, so I think the deck is stacked more towards Islip that our Planning Commissioner in Suffolk County is a former Islip Planning Commissioner. So I'm fairly confident that I'm going to end up with, you know, the lion's share of this; right, Jim? No, I'm only kidding, you don't have to answer that.

**COMMISSIONER MORGO:**

And I'm not going to.

**LEG. ALDEN:**

And you shouldn't because that was just a ••

**COMMISSIONER MORGO:**

You're right, I am from Islip.

**LEG. ALDEN:**

That was just a joke. Anyway, I think that we have a lot of real good people that have been working on this, we've been going through the towns, their planning and building departments, so I think we've been getting good product and I think that's led to things like you were just mentioning where the town kicked in. You know, it's been a piggyback where maybe we only threw out 20,000 or 10,000 or 5,000, and then more monies have come into it. So I'm really encouraged by the dialogue and I hope that it continues and we really do come to a consensus

what we want to do at, you know, the full Legislative body.

**COMMISSIONER MORGO:**

Madam Chairwoman, could I respond to Legislator Alden since he addressed me?

**CHAIRPERSON NOWICK:**

Yes.

**COMMISSIONER MORGO:**

You're right, the dialogue has been terrific. One of the things, though, that I want to clarify •• and it was a question answered •• asked a couple of times and the panelists answered it but they said a lot of other things, too •• on whether everybody is going to get one•eighteenth or not, that was the central question. And the answer, unfortunately, is not a black or white answer, the answer is it depends on the quality of the applications and the point system.

What the panelists did is that they took a lot of time, and I sat through all of the meetings and listened and I think Mr. Mart suggested that you guys come and sit through them too because they really are •• the dialogue is terrific, Cameron. It really is going to depend on what kind of applications come from the different districts. Could every district get on? Absolutely. Could that not be the case? It depends on the quality of the applications and how they score. I've done a lot of grants in my life and I know it's how you get what you put in that application and how good it is and how it scored, and then after it scored it's going to come back to you folks anyway.

**LEG. ALDEN:**

Thank you.

**CHAIRPERSON NOWICK:**

Okay, excuse me. I've just been informed that the Parks Committee has a public hearing at 11, so if we could just put this on hold for a second.

**MS. KNAPP:**

I just want •• ask anybody who is here, would you ask them if they would just remain and it will start as soon as this ••

**CHAIRPERSON NOWICK:**

The public hearing? Okay, anybody that is here for the public hearing, if you could just stay here and it will •• the public hearing will go on when this is over.

**LEG. FOLEY:**

Madam Chair?

**CHAIRPERSON NOWICK:**

Now, I know that we have a few other people that have questions. Just your •• the quote that you made, I know it wasn't from you, you can't have it all, the quote I would say is, "I want it all and I want it delivered."

Now, Legislator Foley you have a question? I know Legislator Carpenter also has a question, so if we can get on with this.

**LEG. FOLEY:**

Thank you, Madam Chair. And I echo Legislator Alden's compliments to the board. Your passion and your commitment to your downtowns is duly noted and very much appreciated by us as Legislators and by our constituents who you also by extension represent on the board, so we want to thank you very, very much. And Mr. Mart, true to your profession as a book shop owner, I know you want to say niche' as opposed to niche but, you know, we got pretty close to that anyway.

**MR. MART:**

We can always use a plug.

**LEG. FOLEY:**

Right. If not today, you made an excellent point about •• you all made many, many great points, but if not today but to discuss at some point the policy changes that you mentioned that also needs to be part and parcel of the overall approach. As important as funding is, and as I call it, it's a public investment of public dollars to help revitalize the soul of our communities which is our downtowns. But at some point as a follow•up to get into the policy end of it. You know, for instance, just yesterday, and I say this as a Legislator today, just yesterday a number of us were at Brookhaven Town to talk about the need for townships to adopt legislation

concerning big box stores and for the future of trying to limit the size of those things and in that way try to create the land use policy incentives to have some of these folks revisit areas closer to our downtowns, if not in our downtowns. So what changes can happen, you know, in the unincorporated downtown areas that would wish to be incorporated, some say yes, some say no. But in the unincorporated downtowns, what can townships do better? In the incorporated areas, what can villages do better? How can the County be a catalyst to help those policy changes? So both from a monetary point of view as well as legislation, resolutions and the like. So I just leave that out there for future consideration. Okay, thank you.

**CHAIRPERSON NOWICK:**

Legislator Carpenter, last question.

**LEG. CARPENTER:**

I know we're pressed for time, but I need to •• I feel compelled to echo the comments of gratitude really to all of you. Many of you have been there for eight years plus and that kind of dedication on a volunteer basis is truly remarkable and the accomplishments that have been made in our downtowns really couldn't have been made without your efforts. And Donna, you said it well, as far as the sharing of information, because I know back, it's got to be a good 18, almost 20 years ago when I was involved in my local Chamber of Commerce, we formed a coalition of chambers in the Town of Islip. And that kind of sharing of information, whether it was a business expo that one, you know, community started and others emulated, it is so helpful and we're not going to achieve anything if we do it in a vacuum, it's with that sharing of information.

And I think that in hearing what has gone on, past history, you know, is important to learn from and you might want to consider going back and doing some public hearings again and letting the community come out because I think that, you know, is where you get ideas, you get enthusiasm, people get excited about their communities. And again, thank you for all you done.

And the one other point that hopefully we'll all remember as we approach the budget process later this year is that this is a program that we need to invest in and invest in heavily, and a half of million dollars just doesn't cut it.

**MS. PERICONI:**

It doesn't cut it.

**LEG. CARPENTER:**

So this Legislator, for one, is going to look at putting more into the downtown program. Thank you.

**MR. CANTOR:**

Legislator Carpenter, that's one of the things we talked about at one of our earlier meetings is public hearings. And I know the committee would welcome the opportunity to work with every Legislator in his or her district to organize a hearing and participate and have the community come out. We need the community to understand the direction that this panel is going in and we want to help the groups that are interested and participating to really maximize the full potential and the benefit will be to all of our downtowns. So we'd love to work with all of the Legislators and have these hearings in the districts.

**LEG. CARPENTER:**

And to that point, if I could, through the chair, you'd be surprised that when you do something like that there are people out in the community that have positions that you don't even realize in large corporations where grant moneys may be available that we just don't know about. With all that we, you know, do have at our disposal, sometimes there's more out there.

**MR. CANTOR:**

Well, there is and that was the point.

**LEG. ALDEN:**

Just to add one more point.

**MR. CANTOR:**

That's what Susan had mentioned and I know there's a lot of money. I mean, I'm working on a project that's about 1.9 million and the public investment in it is maybe 300,000, everything else is leveraged in the private sector. And the government investment is essential because it shows that you have •• you know, every project needs the backing of the government in many myriad of ways, but once that's there there's a lot of money out there. And you're absolutely right, Angie.

**CHAIRPERSON NOWICK:**

I would like to take a minute to say thank you to all of you, and please bring that back to the rest of the committee. Your dedication and your passion, and Donna, it was wonderful listening to how strongly you feel about this. Thank you to all of you and please bring that back to the rest of your committee.

We're going to go on to the agenda.

**TABLED RESOLUTIONS**

***1360•05 • Adopting Local Law No. 2005, a Charter Law to streamline County government by abolishing the Airport Lease Screening Committee (County Executive).***

**LEG. ALDEN:**

Motion to able.

**CHAIRPERSON NOWICK:**

Motion to table by Legislator Alden, second by Legislator Schneiderman. All in favor?  
Opposed?

**LEG. FOLEY:**

Opposed.

**CHAIRPERSON NOWICK:**

For opposed, Legislator Foley, Legislator Cooper. ***1360 has been tabled (VOTE: 4•2•0•0 Opposed: Legislators Foley & Cooper).***

***1417•05 • To evaluate the feasibility of establishing a renewable energy park on County property (Cooper).***

**LEG. COOPER:**

Motion to approve.

**LEG. FOLEY:**

Second.

**CHAIRPERSON NOWICK:**

There's a motion to approve by Legislator Cooper and a second by Legislator Foley.

**LEG. SCHNEIDERMAN:**

On the motion.

**CHAIRPERSON NOWICK:**

All in favor? On the motion, Legislator Schneiderman.

**LEG. SCHNEIDERMAN:**

There is, I guess, an amended copy. In the earlier version of this bill it was any property with the development rights had been purchased that would open all of our farmland up for potential development, I didn't want to see that. But it has now been any County-owned property, it's been changed, I'm assuming that means we own the fee on it, not the development rights. A lot of our County-owned property is parkland and I believe that this type of use would probably be precluded.

So I have some questions about •• oh, this is just a study so, you know, I don't have great objection, but whether we should actually build this. I know that we should move toward renewable resources and, you know, wind energy and solar and fuel cells, these are things we should do. Creating a park to feature these things I'm not sure is the best investment for the County. Maybe there's somebody out there who wants to set this kind of thing up, but as this is an RFP, I don't want to see who's setting it up have a particular interest one way or another in this, either in a particular technology or, you know, particular company.

**CHAIRPERSON NOWICK:**

So you want to table it?

**LEG. SCHNEIDERMAN:**

So those are just some of my concerns. No, I'll move forward with it because it is just a feasibility study, but I think we really need, before we move forward in actually creating an

energy park, to really have these questions answered.

**LEG. ALDEN:**

On the motion.

**CHAIRPERSON NOWICK:**

I was going to ask the sponsor if he had conducted a financial impact study on this since this is new technology and there are new ••

**LEG. COOPER:**

No, that's fine. This is •• there will be an RFP process and this is really completely open•ended. I didn't want to target any specific renewable energy technology, any particular company, any particular site, I really wanted to really take a completely open approach on this. So we don't have these answers but as Legislator Schneiderman mentioned, this is just a feasibility study.

**CHAIRPERSON NOWICK:**

Legislator Alden?

**LEG. ALDEN:**

If I may, through the Chair, I'd like to ask the sponsor; what's your ultimate goal then, Legislator?

**LEG. FOLEY:**

World domination.

**LEG. COOPER:**

Short of world domination.

**LEG. ALDEN:**

Of Suffolk County dominating the world or •• go ahead.

**LEG. COOPER:**

To provide additional incentives here at the local level to attract producers of renewable energy technologies so we can do something here locally. Right now, as we've heard at previous



meetings, there are opportunities available to Suffolk residents and businesses to access renewable energy technologies through programs like LIPA's Green Choice Program. But all the sources of those renewable technologies are Upstate, New York, the wind farms are Upstate, New York, the hydro electronic is Upstate, New York. So the idea was to try to do something locally where we can develop in our own backyard potentially renewable energy industry and long-term promote jobs, boost the local economy but do something for our environment as well.

**LEG. ALDEN:**

I think we're in the process of •• because I've noticed a number of different pieces of legislation coming through and we're kind of like inching towards, and I'm going to say inching towards an energy policy for Suffolk County, which I don't believe that we really have one. Because I've been speaking for eight years now about, you know, our bus fleet and our car fleet should be something that doesn't pollute and doesn't kill people and cause cancers and things like that, and I don't think we've gotten any closer to that; I know that Legislator Fisher put something in about green, you know, green buildings. I'm a little bit hesitant to go along with, you know, an energy park when we don't really have an energy policy. And I'm making a suggestion, I mean, if you want to go and run with it or something like that, because we need to have a discussion about energy, our use, what types of things we want to go to in the future, what types of things we want to try to do now, the cost associated with that. But I think that the overall energy policy of Suffolk County i think is more important than, you know, looking at one little piece again which might not fit in with something that we come up with.

**LEG. COOPER:**

Well, you're right. I mean, we have historically been taking a piecemeal approach and every Legislator •• I mean, there have been dozens of ideas put forth, most of them good ideas. There isn't an overall vision yet, there isn't a master plan which probably would be a good idea. I don't know if I want to necessarily wait for that because that could be years before that's developed. And again, in defense of this particular resolution, if it wasn't just a •• I'm not proposing anything concrete here, it's a feasibility study.

**LEG. ALDEN:**

I know. I'm going to make this suggestion, because in a second I'm going to make a motion to

table, but I'm going to make this suggestion. Let's get a presentation from the County Executive's Economic Development and any other department that might be, you know, pertinent to that because DPW should really weigh in a little bit on, you know, what they want to do and maybe we can get a sense of, you know, like where we can go in Suffolk County. And then at that point, when they've established a position, then this would probably be ripe for, you know, like passing and let's get going on it. And Parks surely would have to weigh in because you're actually talking about using property that, you know, Suffolk County owns right now, what would be appropriate and what wouldn't be appropriate. So Real Estate, Parks, Economic Development, I think that •• and I don't see a rush to have to do this.

**LEG. COOPER:**

No, it's not time sensitive. That's fine, I have no problem tabling.

**LEG. ALDEN:**

No, if we take a nice approach to it I think that, you know, then I could support it ••

**LEG. COOPER:**

Sure.

**LEG. ALDEN:**

•• and it will fit in with the overall policy.

**LEG. COOPER:**

That's fine. I make a motion to table.

**LEG. ALDEN:**

All right, second.

**CHAIRPERSON NOWICK:**

Motion to table by Legislator Cooper, seconded by Legislator Alden.

All in favor? Opposed? **1417 is tabled (VOTE: 6•0•0•0).**

**LEG. ALDEN:**

1442 I'd like to withdraw.

**CHAIRPERSON NOWICK:**

***1442 has been withdrawn;*** okay, withdrawn.

***1444•05 • Adopting Local Law No. 2005, a Local Law adopting Labor Law Compliance Policy for the Suffolk County Industrial Development Agency (County Executive).***

**LEG. FOLEY:**

Motion to approve.

**LEG. COOPER:**

Second.

**CHAIRPERSON NOWICK:**

There is a motion to approve, second by Legislator Cooper. On the motion, I just want to bring up a few points. It has come to my attention today, with a letter from Gail Lolis, Deputy County Attorney, asking for a one cycle adjournment in order to do research, to research the legal issues raised in an e•mail forwarded to her by the Legislative Counsel office. I also saw that piece of correspondence. There is also a piece of correspondence to me from Bruce Ferguson where he sent a copy of a letter from Bond Counsel with their opinion of whether or not •• what the legalities are of this particular resolution. May I just ask a comment from Counsel before we go on with this?

**MS. KNAPP:**

I should always preface my comments by saying, as I do, that with ten votes and a County Executive signature, obviously any enactment of this body enjoys a presumption of validity and constitutionality.

That having been said, my office had some concerns in that there was a U.S. Supreme Court case that raised some National Labor Relations Act issues. Bond Counsel has sent a four page opinion, and while I was sitting here I looked at one or two of the cases, I'm sorry, it just came in at 5:30 yesterday and we were working on the JDA so I haven't had a chance to look at all the cases. But I did look at one case here and it was an Upstate, New York, IDA that tried to

impose Labor Law 220 and the court said that they could not do that specifically and that was affirmed by the New York State Court of Appeals. So there are clearly legal issues. And I was also trying to research the Hempstead Town Code which is on•line and I honestly could not find anything that imposed requirements.

Now, I remind the Legislature that you did pass a piece of legislation recently that asked any candidate for IDA board membership whether they would support Labor Law 220 in terms of imposing that as a condition and it was drafted that way because of concerns that anything that imposed a direct and firm obligation might face a legal challenge. But again, I will end the way I started, that ten votes and a County Executive signature, you enjoy a presumption of validity until such time as a court sets it aside.

**CHAIRPERSON NOWICK:**

Legislator Alden.

**LEG. ALDEN:**

I guess before we hear from Counsel, I just wanted to find out, do we have a copy of what they passed? And it was mentioned that the Town of Babylon, the Town of Hempstead and Nassau County; do we have copies of those pieces of legislation?

**MS. KNAPP:**

I mean, obviously I heard about that today. The Town of Hempstead does have their code on •line and I searched for it and I did not find it in their code, so I'm going to have to make some calls. I did some research with Nassau County, just what they have on•line, and it wasn't clear from what they have on•line, so we'll have to just ••

**LEG. ALDEN:**

I'd actually •• before voting on this and allowing it out of committee, I'd really like to see and compare what Babylon, Hempstead and Nassau County, and I also would like to see some of those •• because I wasn't aware of those cases, I'd like to actually read those and do the analysis on them myself, too.

**CHAIRPERSON NOWICK:**

Okay. Can we hear from the County Attorney's Office?

**MS. LOLIS:**

Gail Lolis, Deputy County Attorney. Good morning. We actually are researching it. Legislative Counsel's office sent us something last week and we had started the research. I'm seeing Bond Counsel's letter for the first time this morning. We just would like it, if possible, to be tabled for one cycle in order to complete the research on it and address these Constitutional issues that are being raised at this time.

**LEG. ALDEN:**

Motion to table.

**CHAIRPERSON NOWICK:**

Okay. We have a motion to table by Legislator Alden, second by myself.

**LEG. FOLEY:**

On the motion.

**CHAIRPERSON NOWICK:**

And just quickly on the motion, I just want to put on the record that we understand the importance of respecting certain laws, the prevailing wage, apprenticeship, and the submission of any project labor agreements. We also have to do our due diligence in ascertaining whether or not what we're doing is legal. Legislator Foley?

**LEG. FOLEY:**

Yeah, thank you, Madam Chair. And many times this Legislative body has been, let's say, at the cutting edge of approving legislation and not fearful of any potential litigation regarding progressive legislation.

With that said, to the attorney, to the Assistant County Attorney, would you •• you'll be ready by our next meeting to have •• can we have some order here, Madam Chair? Would you be ready by our next committee meeting, which is when, is that in early ••

**LEG. SCHNEIDERMAN:**

August.

**LEG. FOLEY:**

Early August, by then to have a full, complete, thorough ••

**MS. LOLIS:**

Absolutely.

**LEG. FOLEY:**

The last week of July?

**MS. KNAPP:**

Yeah.

**MS. LOLIS:**

Yes, we will.

**LEG. FOLEY:**

You will, you'll be ready then.

**MS. LOLIS:**

Yes.

**LEG. FOLEY:**

Okay.

**CHAIRPERSON NOWICK:**

Okay, we have a motion to ••

**LEG. FOLEY:**

I'll reluctantly •• just on the record, I reluctantly agree to one round of tabling.

**LEG. CARPENTER:**

We're all reluctant.

**CHAIRPERSON NOWICK:**

I think we are all reluctant to agree to one, but just •• let's just clear it up and do it right. August 3rd is the next meeting. We have a motion by Legislator Alden to table, second by Legislator Foley. All in favor?

**LEG. FOLEY:**

No, I'm not going to second.

**CHAIRPERSON NOWICK:**

Oh, second by myself. All in favor? Opposed? Motion to table has been approved. Okay, **1444 has been tabled (VOTE: 6•0•0•0).**

### **INTRODUCTORY RESOLUTIONS**

**1637•05 • Reappointing Ernesto Mattace, Jr. To the Suffolk County Community College Board of Trustees (Carpenter).** We have a motion by Legislator Carpenter.

**LEG. FOLEY:**

Second.

**LEG. SCHNEIDERMAN:**

Second.

**LEG. CARPENTER:**

Motion, yes.

**CHAIRPERSON NOWICK:**

Second by Legislator Schneiderman. All in favor? Opposed?

That appointment is **approved (VOTE: 6•0•0•0).**

**1649•05 • Adopting Local Law No. 2005, a Local Law to require that all tourism promotion agency contracts receive prior approval of the Legislature (Alden).**

**LEG. ALDEN:**

Motion to approve.

**CHAIRPERSON NOWICK:**

Motion to approve by Legislator Alden, second by myself. All in favor? Opposed? **1649 is approved (VOTE: 6•0•0•0).**

**1658•05 • Appropriating funds in connection with planning for dormitory housing for Suffolk County Community College (CP 2112)(Carpenter).** Motion by Legislator Carpenter, seconded by myself.

**LEG. FOLEY:**

On the motion, Madam Chair.

**CHAIRPERSON NOWICK:**

On the motion, Legislator Foley.

**LEG. FOLEY:**

It appears that we have a representative from the County Executive's Office who wishes to speak on this. And also if anyone from the college would like to speak on it.

**CHAIRPERSON NOWICK:**

Yes, Ben?

**MR. ZWIRN:**

Thank you. There is just a philosophical difference on this one with Legislator Carpenter's resolution. The County Executive feels that the community college, in order to maintain itself as an affordable commuter school, which it has traditionally been, is that dormitories would add an element that was not anticipated or one that he would support.

**LEG. CARPENTER:**

If I could respond.

**CHAIRPERSON NOWICK:**

Thank you.

**LEG. CARPENTER:**



I'll take those concerns and comments to heart. However, this is something that I have been working on for many years with the college. And I know that Chuck Stein is here and I don't know if you're prepared to speak on it, I know George Gatta had to leave for another meeting, we're running a bit late, but the concept of this has broad support. And with the fact that we have three campuses, with the fact that we are expanding the culinary program in downtown Riverhead, with the fact that the Eastern Campus stands in the gateway to the Hamptons, there are all kinds of possibilities for perhaps a hotel, motel management program that could be an elder hostel in the summer time. There are so many opportunities and all I'm asking is that we explore them.

It certainly is not going to cut into the mission or philosophy of the community college being a commuter school, but there are other community colleges that do have dorms, do it very, very successfully. There also was some interest on the part of some other agencies in looking at perhaps leveraging what we might be doing and looking at student housing, faculty housing, tying it in to the issue that I know the County Executive is very concerned about, as we all are, in affordable housing and this could be a way to marry the two.

So I'm asking them to be a little bit open minded and just move forward. The money is in the budget, it was put in the budget, and to just move forward and appropriate the monies. Now, Chuck, through Chair, if you could ••

**LEG. SCHNEIDERMAN:**

That's all campuses, right, Angie?

**LEG. CARPENTER:**

Yes, this would be not specific to any one campus.

**MR. STEIN:**

Vice•President Gatta was here to make a few comments. What I can tell you is I know there have been discussions with respect to the question of workforce housing and also faculty housing, there have been discussions that have taken place with other schools, Farmingdale, SUNY Westbury. The Chancellor's office at SUNY is aware of some of these discussions going on and has voiced approval of the discussions. We've just gone through a situation of trying to recruit some college deans, faculty, college deans of students where among the factors that prevented people from coming here was the cost of housing. So this study certainly could look

at part of that.

**LEG. CARPENTER:**

Thank you very much.

**CHAIRPERSON NOWICK:**

And also to that point, if the dorms ever became a reality, certainly that would be a stimulus for the downtowns. Anybody else have any questions?

**LEG. FOLEY:**

No, I think it's a great idea.

**CHAIRPERSON NOWICK:**

Okay.

**LEG. CARPENTER:**

Oh, thanks, Brian.

**CHAIRPERSON NOWICK:**

Thank you. Okay, we have a motion by Legislator Carpenter, seconded by myself. All in favor? Opposed? **1658 is approved (VOTE: 6•0•0•0).**

**1682•05 • Appropriating funds in connection with improvements to college entrances (CP 2192)(County Executive).**

**LEG. CARPENTER:**

Motion.

**LEG. COOPER:**

Second.

**CHAIRPERSON NOWICK:**

Motion by Legislator Carpenter, seconded by Legislator Cooper. All in favor? Opposed? **1682 is approved (VOTE: 6•0•0•0).**

***1689•05 • Accepting and appropriating a grant award from the New York State Dormitory Authority for a Community Capital Assistance Program (CCAP) for the Sayville Downtown Educational Center Project 100% reimbursed by State funds at Suffolk County Community College (County Executive).***

**LEG. CARPENTER:**

Motion.

**LEG. FOLEY:**

Second.

**CHAIRPERSON NOWICK:**

Can we put that on the consent?

**LEG. CARPENTER:**

Yep.

**CHAIRPERSON NOWICK:**

And together with •• also to put that on the consent calendar. Motion by Legislator •• who did that?

**LEG. CARPENTER:**

I did.

**CHAIRPERSON NOWICK:**

Carpenter, second by Legislator Foley. All in favor? Opposed? ***1689 has been approved and placed on the consent calendar (VOTE: 6•0•0•0).***

***1694•05 • Amending the prior Capital authorized appropriations for the West Campus Site improvements • design (CP 2190.111) to West Campus site improvements • site improvements (CP 2190.410) (County Executive).*** Motion by Legislator Carpenter, second by myself. All in favor? Opposed? ***1694 is approved VOTE: 6•0•0•0).***

***1714•05 • To renew, reauthorize, revise and revamp the Suffolk County Downtown***

***Revitalization Program (Montano).*** I have a request from the sponsor to table that.

**LEG. COOPER:**

Second. I mean, motion to table.

**CHAIRPERSON NOWICK,**

Motion to table by Legislator Cooper.

**LEG. ALDEN:**

Second.

**CHAIRPERSON NOWICK:**

Seconded by Legislator Alden. All in favor? Opposed? ***1714 is tabled (VOTE: 6•0•0•0).***

### **SENSE RESOLUTIONS**

***Sense 43•2005 • Sense of the Legislature Resolution in support of the LIPA Offshore Wind Energy Park (Cooper).***

**LEG. COOPER:**

Motion to table.

**LEG. ALDEN:**

Second.

**CHAIRPERSON NOWICK:**

Motion to table by Legislator Cooper, second by Legislator Alden.

All in favor? Opposed? ***Sense 43 has been tabled (VOTE: 6•0•0•0).***

The EEE meeting is now adjourned.

***(\*The meeting was adjourned at 11:24 AM\*)***

***Legislator Lynne Nowick, Chairperson***

